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11 **UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

12 Center for Biological Diversity, *et al.*,)
13) Case No.: 4:24-cv-405-RM
14 Plaintiffs,)
15 v.) **UNOPPOSED MOTION FOR**
16 U.S. Forest Service, *et al.*,) **A STAY IN LIGHT OF LAPSE OF**
17) **APPROPRIATIONS**
18 Defendants.)
_____)

1 The United States of America hereby moves for a stay of all deadlines in the
2 above-captioned case.

3 1. At the end of the day on September 30, 2025, the appropriations act that
4 had been funding the Department of Justice expired and those appropriations to the
5 Department lapsed. The same is true for the majority of other Executive agencies,
6 including Defendants. The Department does not know when such funding will be
7 restored by Congress.
8

9 2. Absent an appropriation, Department of Justice attorneys and most
10 employees of the Defendants are prohibited from working, even on a voluntary basis,
11 except in very limited circumstances, including “emergencies involving the safety of
12 human life or the protection of property.” 31 U.S.C. § 1342.
13

14 3. Undersigned counsel for the Department of Justice therefore requests a
15 stay of deadlines in this case until Congress has restored appropriations to the
16 Department.
17

18 4. If this motion for a stay is granted, undersigned counsel will notify the
19 Court as soon as Congress has appropriated funds for the Department. The Government
20 requests that, at that point, the parties jointly propose new dates for all remaining
21 litigation deadlines in the Court’s August 18, 2025 Scheduling Order (ECF No. 23)
22 within seven days of the restoration of funding.
23

24 5. Opposing counsel has authorized counsel for the Government to state that
25 Plaintiffs have no objection to this motion.
26

1 Therefore, although we greatly regret any disruption caused to the Court and the
2 other litigants, the Government hereby moves for a stay of all deadlines in this case until
3 Department of Justice attorneys are permitted to resume their usual civil litigation
4 functions.
5

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7 Dated: October 1, 2025

Respectfully Submitted,

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11 U.S. Department of Justice
12 Environment & Natural Resources Division

13 /s/ Emma L. Hamilton
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CERTIFICATE OF SERVICE

I hereby certify that on October 1, 2025, I filed the foregoing document electronically through the CM/ECF system, which caused all parties or counsel of record to be served by electronic means, as more fully reflected on the Notice of Electronic Filing.

/s/ Emma L. Hamilton
Emma L. Hamilton
U.S. Department of Justice